

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. Commodity Futures Trading Commission,

Plaintiff,

V.

Nicholas Cosmo, Agape World, Inc. and Agape Merchant Advance LLC,

Defendants.

09 CV 00351 (LDW-ARL)

**Plaintiff's Application for Entry of
Judgment by Default Against
Defendant Nicholas Cosmo
With Ancillary Equitable Relief**

Plaintiff, U.S. Commodity Futures Trading Commission ("Commission"), applies to this Court pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2(b), seeking entry of judgment by default against Nicholas Cosmo ("Cosmo") In support of this motion, the Commission respectfully refers the Court to the Memorandum of Points and Authorities in Support of Plaintiff's Application For Entry Of Judgment By Default With Ancillary Equitable Relief Against Defendant Nicholas Cosmo ("Application"), and the Declaration of Philip D. Rix in Support of Plaintiff's Application.

The Commission respectfully requests that the Court enter the proposed Order for Entry of Judgment by Default and Ancillary Equitable Relief.

Date: September 26, 2012
New York, New York

Respectfully submitted,
ATTORNEYS FOR PLAINTIFF

Stephen J. Obie
Regional Counsel

By: /s/ Elizabeth C. Brennan
Elizabeth C. Brennan
Trial Attorney
Steven Ringer
Chief Trial Attorney
U.S. COMMODITY FUTURES TRADING
COMMISSION
140 Broadway, 19th Floor
New York, New York 10005
(646) 746-9747
(646) 746-9939 (facsimile)
ebrennan@cftc.gov